

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:)	
)	
John F. BOYLAN et al.)	Group Art Unit: 3731
)	
Application No.: 10/764,841)	Examiner: Ryan J. Severson
)	
Filed: January 26, 2004)	
)	
For: NITINOL ALLOY DESIGN FOR)	Confirmation No.: 9783
SHEATH DEPOLYABLE AND)	
RE-SHEATHABLE VASCULAR)	Mail Stop AF
DEVICES)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31

Sir:

Applicants appeal to the Board of Patent Appeals and Interferences from the Examiner's decision mailed October 31, 2007.

The items checked below are appropriate:

1. ☒ Applicants petition for a three-month extension of time, based on the mailing date of the outstanding final Office Action, extending the due date for response to April 30, 2008. The petition fee of \$1050.00 is submitted herewith.
2. ☐ Applicant has previously filed a Petition for extension of time extending the period for response to the outstanding Office action to [Date]. Applicant now petitions for an additional extension of time to extend the period for response to [Date]. The petition fee of \$[Fee] is enclosed.
3. ☒ The Notice of Appeal Fee of \$510.00 ☒ is enclosed.
4. ☐ The Notice of Appeal Fee was previously paid in this application on [Date], but the appeal was not completed. Accordingly, no Appeal Fee is due at this time.

5. ☒ A pre-appeal brief conference is requested. The request and supporting documentation are attached.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

/Louis Troilo/

Dated: April 30, 2008

By: _____
Louis Troilo
Reg. No. 45,284